

1641
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* COUNSEL

PATENT AGENTS

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ATTORNEYS AT LAW
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FACSIMILE: (201) 343-1684
WWW.KJILAW.COM
email: info@kjiplaw.com

July 7, 2000

Assistant Commissioner for Patents
Washington, D.C. 20231

Attention: Refund Section
Crystal Park 1
Room 800

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231 on July 7, 2000.

David A. Jackson, Reg. No. 26,742
(Name of Registered Representative)

David A. Jackson 7/7/00
(Signature and Date)

REQUEST FOR REFUND UPON PROOF OF
SMALL ENTITY STATUS

Re: U.S. Patent Application
Applicant(s) : Guido Christiaan PAESEN *et al*
Title : TISSUE CEMENT
Serial No. : 09/554,547
Filed : May 12, 2000
Our File : 2488-1-001

Dear Sir/Madam:

Request is herein made for a refund of fees payable to the PCT Office at the U.S. Patent and Trademark Office, upon submission of a Verified Statement establishing the Small Entity Status of the Applicant, or of those having an interest in the subject invention.

OFFICE OF FINANCE
REFUND BRANCH
JUL 12 PM 12:54
US PATENT & TRADEMARK
OFFICE

Assistant Commissioner for Patents
July 7, 2000
Page 2

Attorney Docket: 2488-1-001

This refund is requested pursuant to 37 C.F.R. 1.28 as amended, effective April 1, 1984.

In this situation, the Filing Fees were paid by Check No. 11504, dated May 12, 2000, in the amount of \$1,748.00. Copies of the following are attached:

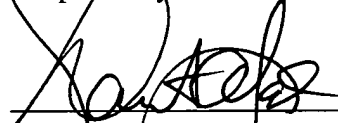
1. Form PTO-1390 submitted at filing;
2. Check No. 11504 along with postcard; and
3. Return postcard receipt from the USPTO.

Applicants are submitting the above request for refund within the deadline for doing so and by the filing concurrently herewith of a Verified Statement Claiming Small Entity Status. A copy of this concurrent filing is also enclosed.

In view of the circumstances set forth above and established by the documents attached hereto, Applicant by the undersigned, requests that the amount of \$874.00 be credited to the deposit account of the undersigned, Deposit Account No. 11-1153.

This Request is submitted in duplicate, and the undersigned requests confirmation of the grant of this request and attention to the crediting of the stated Deposit Account.

Respectfully submitted,



DAVID A. JACKSON
Attorney for Applicant(s)
Registration No. 26,742

DAJ:ls
Enclosures

Serial No. PCT/GB98/03397 File No. 2488-1-001 By DAJ/1s
Title TISSUE CEMENT PROTEINS FROM RHIPICEPHALUS
In the Matter of the Application of PAESEN et al **09/554547**
The following was received in the U.S. Patent & Trademark Office on the date
stamped hereon: VIA EXPRESS MAIL #EL485953902US

4:0 Rec'd PCT/PTO 12 MAY 2000

- | | |
|--|--|
| <input checked="" type="checkbox"/> Transmittal Sheet/Cover Ltr. in dupl. | <input type="checkbox"/> Extension of Time |
| <input checked="" type="checkbox"/> Application For Patent | <input type="checkbox"/> Issue Fee Transmittal |
| <input checked="" type="checkbox"/> Declaration <input type="checkbox"/> Affidavit <u>unexecuted</u> | <input type="checkbox"/> Maintenance Fee |
| <input checked="" type="checkbox"/> Drawings <input checked="" type="checkbox"/> Sheet(s) <u>19 sheets</u> | <input type="checkbox"/> Appin. TM Registration |
| <input type="checkbox"/> S.E. Verified Statements | <input type="checkbox"/> 8 & 15 Declaration |
| <input type="checkbox"/> Assignment | <input type="checkbox"/> Renewal Application |
| <input checked="" type="checkbox"/> Check for \$ <u>1,748.00</u> | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Letter <input type="checkbox"/> Missing Parts | <input type="checkbox"/> Brief <input type="checkbox"/> Petition |
| <input type="checkbox"/> Priority Document | <input type="checkbox"/> Power of Attorney |
| <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Response | <input checked="" type="checkbox"/> <u>INTERN'L SEARCH REPORT:</u> |

PRELIMINARY

WRITTEN OPINION; PREL. EXAM REPORT;
Notification of Recording of Change

RECEIVED

MAY 23 2000

KLAUBER & JACKSON

ATED CPI

(P)

mailed 5/12/00

EL485953902US

Serial No. PCT/GB98/03397 File No. 2488-1-001 By DAJ/lis
Title TISSUE CEMENT PROTEINS FROM RHIPICEPHALUS

In the Matter of the Application of PAESEN et al

The following was received in the U.S. Patent & Trademark Office on the date
stamped hereon: VIA EXPRESS MAIL #EL485953902US

- ☒ Transmittal Sheet/Cover Ltr. in dupl. ☐ Extension of Time
☒ Application For Patent ☐ Issue Fee Transmittal
☒ Declaration ☐ Affidavit unexecuted ☐ Maintenance Fee
☒ Drawings ☒ Sheet(s) 19 sheets ☐ Appl. TM Registration
☐ S.E. Verified Statements ☐ 8 & 15 Declaration
☐ Assignment ☐ Renewal Application
☒ Check for \$ 1,748.00 ☐ Notice of Appeal
☐ Letter ☐ Missing Parts ☐ Brief ☐ Petition
☐ Priority Document ☐ Power of Attorney
☒ Amendment ☐ Response ☒ INTERN'L SEARCH REPORT:
PRELIMINARY WRITTEN OPINION; PREL. EXAM REPORT;
Notification of Recording of Change

KLAUBER AND JACKSON
SPECIAL ACCOUNT
411 HACKENSACK AVENUE
HACKENSACK, NJ 07601

11504

DATE 5/12/00

55-218/212
11

PAY
TO THE
ORDER OF

COMMISSIONER OF PATENTS AND TRADEMARKS

\$ 1748.00

One thousand seven hundred forty eight & 00/100
DOLLARS

THIS CHECK IS DELIVERED IN CONNECTION WITH THE FOLLOWING ACCOUNTS

2488-1-001			
PCT/GB98/03397			
fees			

Joann Radgus

⑈011504⑈ ⑈021202162⑈ 134⑈00688 7⑈

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BANK
401 Hackensack Ave.
Hackensack, NJ 07601

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KLAUBER & JACKSON

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email: info@kjiplaw.com

July 7, 2000

Assistant Commissioner for Patents
Box PCT
Washington, DC 20231

TRANSMITTAL OF VERIFIED STATEMENT
CLAIMING SMALL ENTITY STATUS

Re: National Phase in the U.S. Based on PCT/GB98/03397
Inventors : Guido Christiaan PAESEN *et al*
Applicant : The Natural Environment Research Council
Title : TISSUE CEMENT
Serial No. : 09/554,547
Filed : May 12, 2000
Our File : 2488-1-001

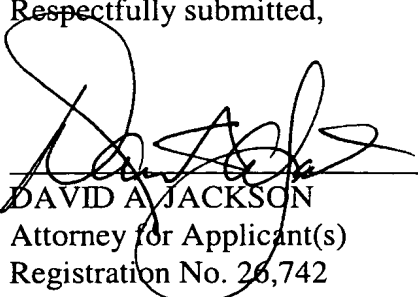
EXPRESS MAIL "CERTIFICATE MAILING NO." : EL629424625US
DATE OF DEPOSIT : JULY 7, 2000

Dear Sir:

Applicant herewith submits a Verified Statement Claiming Small Entity Status on behalf a Nonprofit Organization for filing in the above referenced application.

Due entry and filing hereof and a change on the record of the Small Entity Status of the Applicant are accordingly requested.

Respectfully submitted,


DAVID A. JACKSON
Attorney for Applicant(s)
Registration No. 26,742

DAJ/lis
Enclosure

Applicant or Patentee: Guido Christian^a PAESEN- Patricia Ann^a NUTTALL
Application or Patent No.: 09/554,547
Filed or Issued: May 12, 2000
For: TISSUE CEMENT

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 C.F.R. §§ 1.9(f) AND 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION THE NATURAL ENVIRONMENTAL RESEARCH COUNCIL
ADDRESS OF ORGANIZATION POLARIS HOUSE, NORTH STAR AVENUE, SWINDON,
SN2 1EU, UNITED KINGDOM

TYPE OF ORGANIZATION

- ☒ University or other institution of higher education
☐ Tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3))
☐ Nonprofit scientific or educational under statute of state of The United States of America
(Name of state _____)
(Citation of statute _____)
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3)) if located in The United States of America
☐ Would qualify as nonprofit scientific or educational under statute of The United States of America if located in The United States of America
(Name of state _____)
(Citation of statute _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) for purposes of paying reduced fees under Sections 41(a) and 41(b) of Title 35, United States Code, with regard to the invention entitled by inventor(s) PAESEN G C: NUTTALL P A described in

- ☐ the specification filed herewith
☒ Application No. 09/554,547, filed May 12, 2000
☐ Patent No. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the above-identified nonprofit organization are not exclusive, each individual, concern, or organization having rights to the invention is listed below,* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an individual inventor under 37 C.F.R. § 1.9(c), or by any concern that would not qualify as either a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27.)

FULL NAME _____

ADDRESS _____

☐ individual ☐ small business concern ☐ nonprofit organization

FULL NAME _____

ADDRESS _____

☐ individual ☐ small business concern ☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earlier of the issue fee and any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b).)

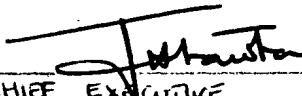
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

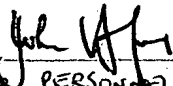
NAME OF PERSON SIGNING JOHN LAWTON (CHIEF EXECUTIVE) AND JOHN HANFORD (DIRECTOR OF PERSONNEL)

TITLE IN ORGANIZATION _____

ADDRESS OF PERSON SIGNING NERC, POLARIS HOUSE, SWINDON, WILTS,
ENGLAND, UK

SIGNATURE _____ DATE 7/3/00


CHIEF EXECUTIVE


DIRECTOR, PERSONNEL & ESTATES

ON BEHALF OF THE NATURAL ENVIRONMENT
RESEARCH COUNCIL

POLARIS HOUSE
NORTH STAR AVENUE
SWINDON SN2 1EU
WILTSHIRE, ENGLAND

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

2488-1-001

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

INTERNATIONAL APPLICATION NO.
PCT/GB98/03397INTERNATIONAL FILING DATE
12 November 1998PRIORITY DATE CLAIMED
12 November 1997

TITLE OF INVENTION

TISSUE CEMENT PROTEINS FROM RHIPICEPHALUS APPENDICULATUS

APPLICANT(S) FOR DO/EO/US

Guido Christian PAESEN; Patricia Ann NUTTALL

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and the PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☒ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An unexecuted oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

NINETEEN (19) SHEETS OF DRAWINGS; INTERNATIONAL SEARCH REPORT; WRITTEN OPINION; INTERNATIONAL PRELIMINARY EXAMINATION REPORT; NOTIFICATION OF RECORDING OF CHANGE

EXPRESS MAIL "MAILING CERTIFICATE NO.": EL485953902US DATE OF DEPOSIT: MAY 12, 2000

17. ☒ The following fees are submitted:

CALCULATIONS

PTO USE ONLY

• **Basic National Fee (37 CFR 1.492(a)(1)-(5)):**

Search Report has been prepared by the EPO or JPO \$840.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) \$670.00

No international preliminary examination fee paid to USPTO (37 CFR 1.482)
but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$760.00

Neither international preliminary examination fee (37 CFR 1.482) nor
international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$970.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)
and all claims satisfied provisions of PCT Article 33(2)-(4) \$ 96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 840.00

Surcharge of \$130.00 for furnishing the oath or declaration later than
months from the earliest claimed priority date (37 CFR 1.492(e)). ☐ 20 ☐ 30

\$

Claims	Number Filed	Number Extra	Rate		
Total Claims	56 -20 =	36	X \$ 18.00	\$ 648.00	
Independent Claims	1 -3 =	0	X \$ 78.00	\$.00	
Multiple dependent claim(s) (if applicable)			+ \$260.00	\$ 260.00	

TOTAL OF ABOVE CALCULATIONS =

\$ 1,748.00

Reduction for 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be
filed. (Note 37 CFR 1.9, 1.27, 1.28).

\$

SUBTOTAL =

\$ 1,748.00

Processing fee of \$130.00 for furnishing the English translation later than
months from the earliest claimed priority date (37 CFR 1.492(f)). ☐ 20 ☐ 30 +

\$

TOTAL NATIONAL FEE =

\$ 1,748.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied
by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

TOTAL FEES ENCLOSED =

\$

Amount to be:
refunded \$

charged \$

a. ☒ A check in the amount of \$ 1,748.00 to cover the above fees is enclosed.b. ☐ Please charge my Deposit Account No. 11-1153 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1153. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be
filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

DAVID A. JACKSON
KLAUBER & JACKSON
411 HACKENSACK AVENUE
4TH FLOOR
HACKENSACK, NEW JERSEY 07601

SIGNATURE

NAME

David A. Jackson

REGISTRATION NUMBER 26,742

EXPRESS MAIL "MAILING CERTIFICATE NO.": EL485953902US DATE OF DEPOSIT: MAY 12, 2000